

**Minutes of the Criminal Justice Collaborating Council
Alcohol Treatment Court Subcommittee**

Wednesday, April 8, 2009

Chair Foster called the meeting to order at 12:15 p.m.

Present: Chair Kathy Foster, Mike DeMares, Kathy Madden, Karl Held, Melissa Emberts, Jean LaTour, Ray Cunneen. **Absent:** Lee Dreyfus, Diane Kelsner, Dan Fay, Brad Schimel, Meg Schnabl, Eric Raskopf.

Also Present: Rebecca Luczaj, Peter Schuler, Sara Carpenter, Kristy Gusse, Clara Daniels, Karen Phillips.

Approval of Minutes from 9/10/08 Meeting

MOTION: Held moved, second by Cunneen, to approve the minutes of the 9/10/08 meeting. Motion carried unanimously.

Approval of Minutes from 2/11/09 Meeting

MOTION: Madden moved, second by Held, to approve the minutes of the 2/11/09 meeting. Motion carried unanimously.

ATC Program Update

Gusse reviewed the statistics for the Alcohol Treatment Court Program. Through the end of March 133 clients have been served since inception of the ATC Program. The current caseload is 53 – they are planning to discharge one client and two intakes are scheduled within the next two weeks. Two or possibly three graduations will take place on April 23. Seven applications are currently pending. They are trying to add just one new participant per week. The total number of graduations since inception is 63. It has been determined that a total of 9,437 jail days were saved. The 63 graduate clients have attended a total of 7,124 self-help meetings.

Carpenter explained how the ATC Program has been able to increase its caseload from 50 to 55 participants. They have adjusted the admission process, limiting the number of new participants per month and making the number of individuals in each stage consistent. Carpenter noted the high rate of success of the ATC Program; only four clients have re-offended since its inception in 2006. She also reviewed the changes in the SCRAM fee schedules. WCS recognized that 8 dollars a day is a significant amount for someone who is indigent. She added that WCS hopes to be able to waive the indigency fee completely in the future; however, they did lower the fee to 6 dollars a day, which is a step in the right direction. She suggested the possibility of the development of a fund for the indigent. She emphasized that WCS is always willing to consider individuals on a case by case basis when approached by someone who cannot afford the fees.

Review of Revised ATC Fee Model

Luczaj distributed and reviewed a handout titled *Alcohol Treatment Court Fee Workgroup*. Since the federal grant funding the ATC Program will be ending, the implementation of the participation fee is necessary in order to sustain the program. She reported on the activities of the Alcohol Treatment Court Fee Workgroup that resulted in the formation of a tiered fee system. After extensive study, the group determined the five-tier income-based fee model to be the best option.

During the initial interview, HHS staff will determine participant's monthly fees owed based on the most recent income taxes and/or current pay stubs. Fees can be reassessed at any time if income changes. Clients who refuse to pay or fail to provide full proof of income will be billed at the maximum monthly fee of \$200 until the required documentation is provided. The group hopes the plan will be implemented in June 2009. The 2010 projected revenue for this model is \$50,400.

Discuss & Consider ATC Fee Model

Luczaj stated she presented the proposed ATC fee model to the CJCC Executive Committee, and they were supportive of it moving forward. She stated that after further discussion and consideration today, this Committee would take a vote on accepting this fee model. For clarification purposes, Luczaj again went over the extensive preparations and efforts put forth to develop this proposed fee model.

Foster recalled that since the development of the ATC Program almost three years ago, there was always the thought that at some point a fee requirement would be imposed in order to sustain the program.

Shuler explained that two HHS staff members, Cynthia Lilley and Russell Kutz, participated in the ATC Fee Workgroup. They are the most familiar and experienced with the fee charging system utilized for HHS programs. He said that HHS will use existing staff to do the ATC evaluations. Schuler reviewed the specifics of the income ranges, noting that the participants in the \$0-\$11,000 range would most likely be eligible for other government assistance. He emphasized the consideration given to keeping the fees in a range that would not deter people from volunteering for the ATC Program.

LaTour expressed her concerns about the proposed costs for the lower income ranges. She suggested adjusting the proposed income range tiers to \$11,001-\$40,000; \$40,001-\$60,000; and \$60,001-\$75,000. She opined that the fee structure may deter participation in the ATC Program; however, this was the compromise as opposed to not having a program at all. LaTour said that although some variables were discussed, this fee model does not take into account such things as the number of children in the family or other obligations.

Foster stated that her concern would be that because HHS is doing the evaluations, setting different criteria may be more burdensome. Additional criteria would also require more verification, which would be more time-consuming. Schuler stated that the HHS fee system is a family-based system. Carpenter added that most participants are single and without children. Luczaj suggested that the current proposed fees be implemented in June; the fee schedule could be reevaluated in January 2010 and adjustments be made if necessary.

Discussion continued about procedural issues with regard to evaluation of Huber inmates and possible options to pursue collection of the proposed ATC program fees.

LaTour addressed the importance of determining how the potential clients would be made aware of the ATC Program and the fees involved. DeMares stated that there should be information provided comparing the cost of the ATC Program versus the cost of Huber. Luczaj stated there is an existing cost chart based on a 180-day sentence that could be included with handouts given to the potential clients.

To answer Foster's question, Daniels stated that the Department of Administration is supportive of the proposed fee schedule

Foster and Schuler thanked the ATC Fee Workgroup for the enormous amount of work done on this project in a relatively short period of time.

MOTION: Madden moved, second by Held, to accept the proposed ATC workgroup fee model and recommend to move it forward for approval by the CJCC Executive Committee. Motion carried unanimously.

Foster asked that everyone who was involved in the ATC Fee Workgroup also participate in the Fee Implementation Workgroup, including a HHS staff member.

LaTour suggested outlining the ideas and issues to be addressed by the Implementation Workgroup:

- The ATC Program application to include a one page information sheet (include fees, the requirement to sign up at HHS) and Huber cost comparison
- Specifics of where and how payments would be made; how to gain compliance of payment; consequences for when a participant defaults on payments (possible sanctions or disincentives)

Foster volunteered to talk to the judges and present a refresher on recommending the ATC Program and the fee implementation.

Foster requested that the Fee Implementation Workgroup have all of the paperwork in order and ready by the next ATC Subcommittee meeting.

Set Next Meeting Date

- May 20, 2009, at 12:15 p.m. in Room 179

Overview of SAMHSA Grant Application

Luczaj reviewed the handout titled *2009 CJCC SAMHSA Grant Application Overview*. The intent of the grant is to expand substance abuse treatment capacity in adult drug courts. The amount of the grant is up to \$300,000 a year for a three year period (for a total of \$900,000); no match is required. Priority for the use of the funding must be given to addressing gaps in the existing continuum of treatment, combining the sanctioning power of treatment court with effective treatment services.

Luczaj reviewed the summary of the proposal as outlined:

- Increase capacity by accepting 4th OWI offenders
- Hire one additional case manager (or possibly two)
- Purchase of outpatient "treatment slots" in advance
- Inclusion of an evaluation component
- Supportive services covering miscellaneous expenses
- Travel expenses to attend required meetings/conferences for on-going technical assistance and professional development.

In response to questions brought up by the committee members, Luczaj explained that the application was written to comply with the specific requirements of this grant. Foster commented that at this point, not knowing what the legislature would be doing with 4th offense OWI offenders, it would be good to give some flexibility to the target population. Perhaps mentally ill people could benefit as well, suggesting the expansion could be called a mental health treatment court.

The meeting adjourned at 1:32 p.m.